

United States Court of Appeals
For the Eighth Circuit

No. 12-3374

United States of America

Plaintiff - Appellee

v.

Antonio Straight

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: March 21, 2013

Filed: April 1, 2013

[Unpublished]

Before LOKEN, MELLOY, and BENTON, Circuit Judges.

PER CURIAM.

Antonio Straight directly appeals the sentence the district court¹ imposed after revoking his supervised release for the second time with respect to the same

¹The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

underlying offense, a Class C felony. Counsel has moved to withdraw, and has filed a brief arguing that the revocation sentence is unreasonable.

This court concludes that the district court – upon revoking Straight’s supervised release – imposed prison and supervised-release terms within the applicable statutory limitations and did not impose an unreasonable sentence, after revoking Straight’s supervised release. *See United States v. Perkins*, 526 F.3d 1107, 1110 (8th Cir. 2008) (court reviews revocation sentence for abuse of discretion; district court’s discretion to impose prison sentence upon revocation of supervised release is limited by statute); *see also* 18 U.S.C. § 3583(e)(3) (in imposing revocation sentence, court may impose no more than 2 years in prison if underlying offense was Class C felony); 18 U.S.C. § 3583(h) (when term of supervised release is revoked and defendant is required to serve term of imprisonment, court may include requirement that defendant be placed on term of supervised release after imprisonment; length of such term of supervised release shall not exceed term of supervised release authorized by statute for offense that resulted in original term of supervised release, “less any term of imprisonment that was imposed upon revocation of supervised release”); *United States v. Zoran*, 682 F.3d 1060, 1063-64 (8th Cir. 2012) (as used in § 3583(h), “any term of imprisonment” plainly refers to all postrevocation terms of imprisonment imposed with respect to same underlying offense).

Counsel’s motion to withdraw is granted, and the judgment of the district court is affirmed.
